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1 | *Attorneys for Plaintiff JOHN W. SMIRK*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JOHN SMIRK,

Plaintiff.

vs.

TRUSTEES OF THE INTERNATIONAL
PAINTERS AND ALLIED TRADES
INDUSTRY PENSION PLAN; RICHARD
B. SIGMOND; INTERNATIONAL
PAINTERS AND ALLIED TRADES
INDUSTRY PENSION PLAN,

Defendants.

Case No.: 2:19-cv-00650-APG-VCF

Judge: Honorable Andrew P. Gordon

STIPULATION AND ORDER WITHOUT PREJUDICE

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STIPULATION AND ORDER

2 IT IS HEREBY STIPULATED by and between the parties through their attorneys of
3 record to: 1) Dismiss Defendant Richard B. Sigmond on all causes of action without prejudice; 2)
4 Dismiss Counts II and III against Defendant Trustees of the International Painters and Allied
5 Trade Industry Pension Plan and Defendant International Painters and Allied Trades Industry
6 Pension Plan without prejudice; 3) Dismiss all claims for punitive damages without prejudice; and
7 4) Strike Plaintiff's jury demand.

8 There is no trial date set in this matter.

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ORDER

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19 It is so Ordered. In addition, the defendant's motion to dismiss (ECF No.
20 16) is denied without prejudice as moot.

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UNITED STATES DISTRICT COURT JUDGE

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24 Dated: November 5, 2019.

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